

REMARKS

The Office Action mailed December 14, 2004, has been reviewed. Claim 6 has been cancelled. Claims 1-5 and 7-9 remain pending in the application. For the reasons set forth below, Applicant believes the claims now pending in the application are in condition for allowance.

Rejection of Claims 1-9

In the Office Action mailed December 14, 2004, the Examiner rejected claims 1-9 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1, 4, 8, and 10-11 of U.S. Patent No. 6,597,283.

Applicant respectfully submits that the Examiner's rejection of claims 1-9 under the judicially created doctrine of obviousness type double patenting is obviated in part and overcome in part. That is, the rejection of claim 6 is obviated in view of the cancellation of claim 6. However, the rejection of claims 1-5 and 7-9 is overcome in view of the Terminal Disclaimer submitted herewith. The Terminal Disclaimer shows the subject application to be commonly owned with U.S. Patent No. 6,597,283. In view thereof, it is respectfully requested that the Examiner withdraw the rejection of claims 1-9 under the judicially created doctrine of obviousness type double patenting.

Rejection of Claim 6 Under 35 U.S.C. §102

In the Office Action mailed December 14, 2004, the Examiner rejected claim 6 under 35 U.S.C. § 102(b) as being anticipated by Windpassinger et al (6,302,471).

It is respectfully submitted that the Examiner's rejection of claim 6 is obviated in that claim 6 has been cancelled by the present amendment. In view thereof, Applicant requests that the Examiner withdraw the rejection of claim 6 under 35 U.S.C. § 102(b).

SUMMARY

It is respectfully submitted that this application, as now amended, is in condition for allowance for the reasons stated above. Therefore, it is requested that the Examiner reconsider each and every rejection as applicable to the claims now pending in the application and pass such claims to issue.

This amendment is intended to be a complete response to the Office Action mailed December 14, 2004.

Respectfully submitted,



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